

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 1:23-cv-23763-MARTINEZ/BECERRA

ELISABET PRINCIPE,

Plaintiff,

vs.

NOMI HEALTH, INC.,
SBP STAFFING AND RECRUITING LLC,
SB PORT VENTURES LLC, AND
TRIXIE BELO-OSAGI,

Defendants.

_____ /

PLALINTIFF'S UNOPPOSED MOTION FOR EXTENSION OF TIME
TO FILE MOTION FOR CONDITIONAL CERTIFICATION

Plaintiff, Elisabet Principe, through her undersigned counsel and pursuant to Fed. R. Civ. P. 12, Local Rule 7.1, and other applicable Rules and laws, request the Court to grant an extension of time respond to the Complaint based upon the lack of opposition and the following good cause:

1. Plaintiff filed her Complaint alleging that Defendant violated unpaid overtime wage payment requirements under the FLSA, 29 U.S.C. §201, *et seq.*, on October 2, 2023. [ECF No. 1.]

2. The Court entered its Order Setting Civil Trial Date and Pretrial Schedule, Requiring Mediation, and referring Certain Motions to Magistrate Judge on October 31, 2023. [ECF No. 11.]a

3. In that Order, the Court imposed a deadline of February 26, 2024, by which to file “Motions to join additional parties, amend the complaint, and class certification.” *Id.*, at 5.

4. Plaintiff then filed an Amended (Collective Action) Complaint on November 10, 2023. [ECF No. 14.]

5. Four others have since filed their Consent to Join in these proceedings. [ECF Nos. Nos. 15, 22, 23, 29.]

6. Due to the press of business and commitments in other matters, as well as certain developments in other related litigation (in arbitration) involving the named Defendants in this case, the Plaintiff requests that the Court grant her an additional fourteen (14) days to file a Motion for Conditional Certification.

7. The undersigned contacted defense counsel, who had no opposition to providing the two-week extension of time requested herein.

8. Pursuant to Fed. R. Civ. P. 6(b)(1) “When an act may or must be done within a specified time, the court may, for good cause, extend the time: (A) with or without motion or notice if the court acts, or if a request is made, before the original time or its extension expires.”

9. It follows that this Court has the power to “control the disposition of the causes on its docket with economy of time and effort for itself, for counsel and for litigants.” *Landis v. North American Co.*, 299 U.S. 248, 254 (1936); *also see Clinton v. Jones*, 520 U.S. 681, 706-707 (1997).

10. Accordingly, Plaintiff respectfully requests the Court to grant her an extension of time through March 11, 2024, to file a Motion for Conditional Certification.

11. A proposed Order is being submitted simultaneously herewith.

WHEREFORE Plaintiff, Elisabet Principe, respectfully request the Court to grant her the Extension of Time requested above.

LOCAL RULE 7.1 CERTIFICATION

Counsel for the movant conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and represents that defense counsel agreed to the relief requested above.

FAIRLAW FIRM

Plaintiff's Counsel

s/Brian H. Pollock, Esq.

Brian H. Pollock, Esq.

Respectfully submitted this 26th day of February 2024,

Brian H. Pollock, Esq.

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